

EXHIBIT 26

Dennis Canty

From: Dennis Canty
Sent: Thursday, September 06, 2007 8:59 PM
To: buffm@lpm-triallaw.com; 'obrown@browngreer.com'
Cc: Larry J. Gornick; 'Torregrossa, Brennan'; 'rstewart@faegre.com'
Subject: Deposition Scheduling
Attachments: Letter to Dennis Canty re September Disclosures.pdf; September Disclosures; Flye_Tracy AZ Case Specific Disclosures 080307.pdf

August

For weeks, plaintiff Getchell has been requesting availability and contact information for the designated sales representative (Winstel). We understand that this former employee has disavowed representation by an attorney, and contact information should be turned over immediately. Please advise.

September

Plaintiffs Coppola, Thomas and Frederick are generally available for the remainder of the month. The availability of plaintiffs Glover and Flye have not yet been confirmed.

We have tentatively planned that the Coppola (NJ) and Thomas (GA) depositions may be handled by one attorney, and the Frederick (PA), Glover (PA) and Flye (IN) depositions may be handled by another. Due to this firm's location in California, we request that the depositions in each of those groups be scheduled as close together as possible.

Due to scheduling conflicts, we would prefer that the Coppola and Thomas depositions take place before 9/27. Plaintiff Coppola will not be able to attend a deposition on 9/17.

Similarly, we would prefer that the Frederick, Glover and Flye depositions be scheduled around a conflict on 9/26-27. These could carry into October 1 or 2 (but not 3 or 4) if necessary. With regard to the Frederick deposition, we advise that plaintiff's testimony may be unintelligible due to his Parkinson's disease.

We have yet to receive complete and compliant sales representative disclosures for September plaintiffs. As set forth in the attached correspondence, we have sought that information since August 6 to aid in our selection of sales representatives for deposition. Though it was promised, we have never received it. We ask that the PMO address this matter well in advance of depositions.

Without the aid of the proper, court-ordered disclosures, plaintiffs hereby designate as follows:

Jennifer Caldes (Coppola), Richard O'Rear (Thomas), Frank Daly (Frederick), and Nicholas Gentile (Glover). The disclosures for Flye (attached) are wholly insufficient for plaintiffs to make a designation.

We also need disclosures of which treating physicians AZ intends to depose. As a practical matter, and in fairness, such disclosures should be contemporaneous with the prescriber disclosure. We ask that the PMO order the same in the future.

Thank you for your consideration, and for your considerable efforts in putting all this together.

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